AMENDMENTS TO THE DRAWINGS

No amendments to the drawings are made herein.

2

200208208-1

REMARKS

In view of the following remarks, Applicant respectfully requests reconsideration and allowance of the subject application. This amendment is responsive to issues raised in the Office Action mailed October 24, 2006.

Rejections Under 35 U.S.C. §102

Claims 1-3, 8-10, 13, and 15-18 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,678,812 to Begis, et al. (hereinafter, "Begis"). Applicant traverses these rejections.

The Action mailed October 24, 2006 reiterates the rejections asserted in the Action mailed June 6, 2006. In the Action mailed June 6, 2006, the Examiner asserted that each memory cell in Begis corresponded to a "storage cell" as recited in independent claims 1 and 8. Applicant traversed this claim construction as being inconsistent with the specification and with the meaning of the term to one skilled in the art. Applicant traverses the current rejections and incorporates herein the arguments placed on the record in the response to the Office Action mailed June 6, 2006.

The Examiner now appears to assert that the hard drive controller in Begis corresponds to the first "storage cell" recited in claims 1 and 8 and the memory controller in Begis corresponds to the second "storage cell" recited in claims 1 and 8. The Action asserts that:

17

200208200-1

the data must travel through the hard drive controller, as in column 2, line 67, and on to the memory controller, as in 22 of Fig. 1 and column 2, line 59, because this is necessarily the path the data takes from the hard drive to the processor according to Fig. 1; the hard drive controller and the memory controller meet the limitations of applicant's storage cells.

Applicant disagrees. Contrary to the Examiner's assertion, Begis neither discloses nor suggests that data transferred from the hard drive to the processor "necessarily" travels through the hard drive controller and on to the memory controller. To the contrary, Fig. 2 and the accompanying description make clear that data transferred from the hard drive does _not_ go through the controller. Rather, the data is moved from the hard drive media 36 into buffers 38 and onto the I/O bus 28 via ports 40. Thus, the Examiner's claim construction is explicitly contradicted by the disclosure of Begis.

In sum, Begis fails to disclose (or even to suggest) the presence of a storage cell, either explicitly or inherently. Therefore, Begis cannot anticipate independent claims 1 and 8.

Claims 2-7 and 9-18 depend ultimately from independent claims 1, and 13, respectively, and are allowable at least by virtue of their dependency.

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Rejections Under 35 U.S.C. §103

Claims 19 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Begis in view of U.S. Patent No. 6,769,030 to Bournas, et al., (hereinafter, "Bournas"). Applicants traverse the rejections.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. See, MPEP § 2142 - § 2143.03.

Claims 19 and 26 each recite a limitation directed to "initiating a data transfer operation between a first storage cell and a second storage cell." The Action asserts that Begis discloses this limitation, and cites column 4, lines 35-37 to support the rejection. Applicants disagree. The cited text reads as follows:

> Transfer Block Size: The number of blocks (sectors) transferred from the hard drive to the hard drive's host processor before the hard drive issues a processor interrupt. Access Block Size: The number of blocks (sectors) requested by the basic input/output service (BIOS) or a device driver.

> Optimization function 108 then generates a random address, step 208, marks the time, step 210, and performs a read using the benchmarking Access Block Size, step 212.

19   200208208-1

Nothing in this text discloses (or even suggests) the presence of a storage cell, much less the operation of initiating a copy operation from a first storage cell to a second storage cell, as recited in claims 19 and 26. Therefore, Begis cannot render obvious independent claims 19 and 26.

Paragraph 55 of the Action mailed June 6, 2006 appears to assert that Begis inherently discloses a storage cell, and appears to assert the same definitional arguments presented with respect to independent claims 1 and 8. Applicant traverses this assertion, and asserts the arguments submitted above with respect to independent claims 1 and 8 apply with equal force to independent claims 19 and 26.

Claims 20-25 depend from independent claim 19, and are allowable at least by virtue of their dependency.

Claims 39-43

New claims 39-43 recite limitations neither disclosed nor suggested by the cited references.

20

200208208-1

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CONCLUSION

Claims 1-43 are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the present application. Should any issue remain that prevents immediate issuance of the application, the Examiner is encouraged to contact the undersigned attorney to discuss the unresolved issue.

Respectfully Submitted,
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21

200208208-1